THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.4539 OF 2006

DATED: 13-02-2007

BETWEEN

Ch. Peda Chinnaiah,
S/o. Venkata Guravaiah,
White House Apartment,
Kundla Road, Krishna Nagar,
Guntur, Guntur District.

...PETITIONER

AND

The Superintendent of Police,
Guntur District, Guntur and another.

...RESPONDENTS

ORDER:

The grievance of the petitioner is that though the police on his representation registered a case in Cr.No.189 of 2004 dated 17.04.2004, the investigation has not been completed and final report has not been filed.

2. Counter has been filed stating that the investigation has already been completed and final report was prepared stating that the case was a mistake of fact on 18.09.2004, but the same was not filed before the Court due to non-service of the notice on the petitioner.

It is stated that the copy of the final report was sent to the petitioner on 21.04.2006 but the same was returned, as the addressee was not available.

3. As the final report is said to have been sent by registered post on 21.04.2006 to the petitioner and as the same was filed

before the Court on 20.05.2006, it cannot be said that no action has been taken. As the final report has already been filed, it is open for the petitioner to take appropriate action before the concerned Magistrate in accordance with law.

The writ petition is accordingly dismissed. However, the second respondent shall serve a copy of the final report to the petitioner, as and when the petitioner approaches him, so as to enable to the petitioner to take appropriate action on the said final report. There shall be no order as to costs.

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V. ESWARAIAH, J

February 13, 2007
DSK